

STANLEY G. HILTON, BAR NO. 65990
LAW OFFICES OF STANLEY G. HILTON.
2570 North First Street, Ste. 200
San Jose, California 95131
Tel: (415) 786 4821
Fax: (415) 439 4963
E MAIL: LOUCASLOUKAS@YAHOO.COM

Attorney for Plaintiff
REGINA JIMENEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REGINA JIMENEZ,)	No. C 07 3360 JSW
)	
Plaintiff,)	EX PARTE MOTION TO CONTINUE
)	MOTION TO DISMISS 2 ND AMENDED
vs.)	COMPLAINT
)	
LAWRENCE IRA PROZAN, DBA)	DATE JULY 18 2008
PROZAN FINANCIAL SERVICES,)	
MULTI-FINANCIAL SECURITIES)	
CORP. and DOES 1 through 20,)	
inclusive,)	
)	
Defendants.)	
)	
)	

1. Plaintiff, Regina Jimenez, MOVES EX PARTE TO CONTINUE THE HEARING
ON DEFENDANT PROZAN'S TO DISMISS HER SECOND AMENDED COMPLAINT,
FROM JULY 18 2008 TO A DATE ON OR AFTER AUGUST 15 2008. THE REASONS ARE
(1) DEFENDANT DID NOT PROVIDE ADEQUATE NOTICE OF THIS MOTION: IT WAS
FILED ON JUNE 19 2008 BUT THAT IS ONLY 25 DAYS BEFORE HEARING DATE. OCA
RULES REQUIRE 35 DAYS NOTICE AND

2. COUNSEL FOR PLAINTIFF WILL BE OUT OF TOWN ON JULY 18 AND
ASKS IT BE RESET FOR AUGUST 29.

1 3. DEFENSE COUNSEL NEVER CLEARED THE DATE OF JULY 18 WITH
2 PLAINTIFF'S COUNSEL BEFORE PREMATURELY FILING THE MOTION TOO LATE.

3
4 DECLARATION OF STANLEY G HILTON

5 I SAY

6 1. I AM COUNSEL FOR PLAINTIFF JIMINEZ IN THIS CASE.

7 2. I WILL BE OUT OF TOWN ON JULY 18 2008 AND CANNOT ATTEND HEARING ON
8 DEFENDANT'S MOTION TO DISMISS THAT DATE. ON JUNE 21 2008 BY E MAIL I
9 ASKED DEFENSE COUNSEL TO CONTINUE THE DATE BUT GOT NO RESPONSE YET.

10 3. THERE WAS INADEQUATE NOTICE GIVEN OF THIS MOTION, LESS THAN 35 DAYS,
11 IN THAT DEFENDANT FILED IT ON JUNE 19 2008, JUST 29 DAYS BEFORE HEARING.
12 I LEARNED OF IT ON JUNE 21. I THUS HAVE LESS THAN A WEEK TO FILE AN
13 OPPOSITION, WHICH IS MOST UNFAIR. I CANNOT PREPARE AN OPPOSITION IN 6
14 DAYS.

15 4. I ASK THE COURT TO CONTINUE THE MOTION TO AUGUST 29 OR A LATER
16 DATE, I WILL BE IN A TRIAL FROM JULY 25 TO ABOUT AUGUST 25 IN ALAMEDA
17 COUNTY,

18 CARTER VS MONOPOLY.

19 I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF US THAT THE ABOVE
20 IS TRUE AND CORRECT.

21 _____/S/_____

22 STANLEY G HILTON

23 EXECUTED IN SAN FRANCISCO, CA ON JUNE 21 2008
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